

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-401 as follows:

6 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

7 Sec. 11-401. Motor vehicle accidents involving death or
8 personal injuries.

9 (a) The driver of any vehicle involved in a motor
10 vehicle accident resulting in personal injury to or death of
11 any person shall immediately stop such vehicle at the scene
12 of such accident, or as close thereto as possible and shall
13 then forthwith return to, and in every event shall remain at
14 the scene of the accident until the requirements of Section
15 11-403 have been fulfilled. Every such stop shall be made
16 without obstructing traffic more than is necessary.

17 (b) Any person who has failed to stop or to comply with
18 the requirements of paragraph (a) shall, as soon as possible
19 but in no case later than one-half one hour after such motor
20 vehicle accident, or, if hospitalized and incapacitated from
21 reporting at any time during such period, as soon as possible
22 but in no case later than one hour after being discharged
23 from the hospital, report the place of the accident, the
24 date, the approximate time, the driver's name and address,
25 the registration number of the vehicle driven, and the names
26 of all other occupants of such vehicle, at a police station
27 or sheriff's office near the place where such accident
28 occurred. No report made as required under this paragraph
29 shall be used, directly or indirectly, as a basis for the
30 prosecution of any violation of paragraph (a).

31 For purposes of this Section, personal injury shall mean

1 any injury requiring immediate professional treatment in a
2 medical facility or doctor's office.

3 (b-1) Any person who drives or is in actual physical
4 control of a motor vehicle upon the public highways of this
5 State shall be deemed to have given consent, subject to the
6 provisions of Section 11-501.2, to a chemical test or tests
7 of blood, breath, or urine for the purpose of determining the
8 content of alcohol, other drug or drugs, or intoxicating
9 compound or compounds or any combination thereof in the
10 person's blood, if arrested for a violation of this Section.
11 The test or tests shall be administered at the direction of
12 the arresting officer. The law enforcement agency employing
13 the officer shall designate which of the tests shall be
14 administered. A urine test may be administered even after a
15 blood or breath test or both has been administered.

16 (c) Any person failing to comply with paragraph (a)
17 shall be guilty of a Class 4 felony ~~Class-A-misdemeanor~~.

18 (d) Any person failing to comply with paragraph (b) is
19 guilty of a Class 3 4 felony if the motor vehicle accident
20 does not result in the death of any person. Any person
21 failing to comply with paragraph (b) when the accident
22 results in the death of any person is guilty of a Class 2
23 felony, for which the person, if sentenced to a term of
24 imprisonment, shall be sentenced to a term of not less than 3
25 years and not more than 14 years.

26 (e) The Secretary of State shall revoke the driving
27 privilege of any person convicted of a violation of this
28 Section.

29 (Source: P.A. 90-543, eff. 12-1-97.)